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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	Case No. 2:20-cr-00128-KJD-BNW
Plaintiff,)	
)	Las Vegas, Nevada
vs.)	Wednesday, June 24, 2020
)	Courtroom 4B
STEPHEN T. PARSHALL, aka)	
"Kiwi")	ARRAIGNMENT/PLEA AS TO
ANDREW LYNAM, and)	ANDREW LYNAM
WILLIAM L. LOOMIS,)	
)	
Defendants.)	

CERTIFIED COPY

TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

For the Plaintiff:

UNITED STATES ATTORNEY'S OFFICE
BY: NICHOLAS D. DICKINSON, AUSA
501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101
(702) 388-6336

(Appearances continued on Page 2)

DIGITALLY RECORDED:	Liberty Court Recorder (LCR)
	1:26 p.m. - 1:31 p.m.
RECORDED BY:	T. Renfro
TRANSCRIBED BY:	Shayna Montgomery, CSR, RMR, CRR
	SM@nvd.uscourts.gov

Proceedings recorded by electronic sound recording, transcript
produced by mechanical stenography and computer.

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1 APPEARANCES CONTINUED:

2 For the Defendant Andrew Lynam:

3 PITARO & FUMO, CHTD
4 BY: THOMAS F. PITARO, ESQ.
5 601 Las Vegas Boulevard South
6 Las Vegas, Nevada 89101
7 (702) 382-9221
8 (Present via videoconference)
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1 LAS VEGAS, NEVADA; WEDNESDAY, JUNE 24, 2020; 1:26 P.M.

2 --oOo--

3 P R O C E E D I N G S

4 THE COURTROOM ADMINISTRATOR: This is the time set for
5 arraignment and plea in case 2:20-cr-00128-KJD-BNW,
6 United States of America vs. Andrew Lynam.

7 Counsel, please enter your appearances for the record.

8 MR. DICKINSON: Nicholas Dickinson for the
9 United States.

10 THE COURT: Thank you, Mr. Dickinson.

11 MR. PITARO: Tom Pitaro for Mr. Lynam.

12 THE COURT: Thank you, Mr. Pitaro.

13 Mr. Lynam, can you hear me okay?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: All right. If something happens to you,
16 the video or audio, do your best to let us know. You know, the
17 thing popped out a few minutes ago, which is why we're running
18 a little late. So we want to make sure you hear everything,
19 you see everything going on.

20 The CARES Act --

21 THE DEFENDANT: Understood, sir.

22 THE COURT: Thank you.

23 The CARES Act, effective March 27th, 2020, authorizes
24 the use of videoconferencing for certain court hearings during
25 the course of the COVID-19 emergency. On March 29th, 2020, the

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1 Judicial Conference of the United States also found that
2 emergency conditions exist which materially affect the
3 functioning of the courts. Accordingly, Chief Judge Du entered
4 General Order 2020-5, authorizing the use of videoconferencing
5 for this hearing.

6 Mr. Lynam, do you consent to making a video appearance
7 at this hearing?

8 THE DEFENDANT: Yes, sir, I do.

9 THE COURT: Thank you.

10 I find the defendant knowingly and voluntarily waived
11 his right to appear in person.

12 Is your true name Andrew Lyman?

13 THE DEFENDANT: My true name is Andrew Lynam, sir.

14 THE COURT: Lynam. Lynam. Sorry, I think I was
15 mispronouncing it. L-Y-N-A-M, Lynam?

16 THE DEFENDANT: Yes, sir, that is correct.

17 THE COURT: Thank you.

18 How old are you, sir?

19 THE DEFENDANT: 23 years old, sir.

20 THE COURT: 23.

21 And how far have you gone in school?

22 THE DEFENDANT: I graduated from high school, sir.

23 THE COURT: All right. Now, you've been charged in an
24 indictment in this district of two counts: one count,
25 conspiracy, and the other possession of an unregistered

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1 firearm.

2 Have you read those charges against you?

3 THE DEFENDANT: I have, sir.

4 THE COURT: You're not required to make any statement
5 about those charges, either here in court or to any law
6 enforcement officer. Anything you do say can be used against
7 you. You have the right to trial by jury, the right to
8 subpoena witnesses to appear on your behalf at the trial and
9 the right to assistance of counsel at all stages of these
10 proceedings.

11 Do you understand these rights?

12 THE DEFENDANT: Yes, sir, I do.

13 THE COURT: And I understand you hired Mr. Pitaro to
14 be your attorney in this case?

15 THE DEFENDANT: Yes, sir, I have.

16 THE COURT: All right. Did you have a chance to speak
17 to Mr. Pitaro regarding what you're charged with in the
18 indictment?

19 THE DEFENDANT: No, sir, I have not.

20 THE COURT: Okay. Did you have a chance to speak to
21 your prior counsel -- I believe the Federal Public Defender was
22 appointed to represent you. Did you have a chance to speak to
23 Ms. Irvin or somebody in her office about the charges against
24 you?

25 THE DEFENDANT: Yes, sir, I have.

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1 THE COURT: Okay. Do you understand the nature of
2 those charges?

3 THE DEFENDANT: Yes, sir, I do.

4 THE COURT: Thank you.

5 And do you understand the purpose of today's hearing?

6 THE DEFENDANT: Yes, sir, I do.

7 THE COURT: All right. Mr. Pitaro, do you have any
8 reason to question the competence of your client to understand
9 the charges against him and to assist in his defense?

10 MR. PITARO: No, Your Honor.

11 THE COURT: Thank you.

12 Do you waive the reading of the indictment?

13 MR. PITARO: Yes, Your Honor.

14 THE COURT: Mr. Lynam, how do you plead to the two
15 counts alleged against you in this indictment, guilty or not
16 guilty?

17 THE DEFENDANT: Not guilty, sir.

18 THE COURT: Trial in this case is set for August 24th,
19 2020, 9:00 a.m., Courtroom 4A. The calendar call, August 18,
20 2020 at 9:00 a.m., also Courtroom 4A.

21 Mr. Dickinson, what's the Government's position on
22 discovery in this case?

23 MR. DICKINSON: The Court's standard order condition.
24 Your Honor, the Government intends to proceed by a Government
25 disclosure order. There are recordings that will be produced.

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1 THE COURT: All right. A standard order regarding
2 pretrial procedure will be entered, and this case will be
3 governed by Local Criminal Rule 16-1(b). The defendant's
4 remanded to custody.

5 Okay. Mr. Lynam, would you please let the guard know
6 that we're ready for the next party to appear in the conference
7 room there?

8 MR. PITARO: And, Your Honor --

9 THE DEFENDANT: Yes, sir, I will. Thank you.

10 THE COURT: Oh, hold on. Mr. Pitaro?

11 MR. PITARO: Yes. Just I want Mr. Lynam to know that
12 we will be in contact with him and do our best to get out there
13 so we can speak with him. And if he has any questions, whether
14 it's to call our office, we'll accept any calls.

15 THE COURT: Okay. Did you hear that, Mr. --

16 THE DEFENDANT: Okay. Thank you, sir.

17 THE COURT: Did you hear that, Mr. Lynam?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Okay, good.

20 THE DEFENDANT: Yes, sir.

21 THE COURT: Thank you, Mr. Pitaro.

22 THE DEFENDANT: All right.

23 THE COURT: All right.

24 MR. PITARO: Thank you.

25 (The proceedings adjourned at 1:31 p.m.)

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C E R T I F I C A T E

I, Shayna Montgomery, court-approved transcriber, certify that the foregoing is a correct transcript transcribed from the official electronic sound recording of the proceedings in the above-entitled matter.

/s/ Shayna Montgomery
Shayna Montgomery, CSR, RMR, CRR
Official Court Reporter

January 11, 2021
Date